

EXPRESS MAIL RECEIPT NO. EU832535675US
DEPOSITED ON SEPTEMBER 17, 2003

PATENT
DKT. OKC00085

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450



NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor: **Thomas L. Byers**

For (title): **MODULAR ANIMAL ENCLOSURE**

1. Type of Application

This application is for an original (nonprovisional).

2. Papers Enclosed

- A.** Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

12 Pages of Specification
6 Pages of Claims
11 Sheets of Drawings--Formal

- B.** Other Papers Enclosed

2 Pages of Declaration--signed by inventor
1 Page of Abstract
2 Pages of Power Attorney by Inventor
2 Pages of Application Data Sheet
1 Page of Request and Certification Under 35 USC 122(b)(2)(B)(I)--Nonpublication

3. Additional Papers Enclosed

Information Disclosure Statement (37 C.F.R. § 1.98), including PTO/SB/08A and 08B
(Substitute for Form PTO-1449)
An acknowledgment postcard

4. Declaration or Oath

Enclosed and executed by inventor.

5. Inventorship Statement

The inventorship for all the claims in this application is the same.

6. Language

English

7. Fee Calculation (37 C.F.R. § 1.16)

Regular Application

CLAIMS AS FILED											
Number Filed			Number Extra				Rate		Basic Fee 37 C.F.R. § 1.16(a) 750.00		
<hr/>											
Total											
Claims (37 C.F.R.											
§ 1.16(c))			25	–	20	=	5	x \$	18.00	= \$	90.00
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Independent											
Claims (37 C.F.R											
§ 1.16(b))			4	–	3	=	1	x \$	84.00	= \$	84.00
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Multiple Dependent Claim(s),											
if any (37 C.F.R. § 1.16(d))								+ \$	280.00	= \$	0.00

Filing Fee Calculation

\$924.00

8. Assertion of Small Entity Status

Applicant hereby asserts status as a small entity under 37 C.F.R. § 1.27.

Filing Fee Calculation (50% of above Filing Fee Calculation)

\$462.00

9. Fee Payment Being Made at This Time

Enclosed: Filing Fee

\$462.00

Total Fees Enclosed

\$462.00

10. Method of Payment of Fees

Attached is a check in the amount of \$462.00.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account 06-0540. A duplicate of this paper is attached.

11. Authorization to Charge Additional Fees

The Office is hereby authorized to charge, in the manner shown above, the following additional fees that may be required by this paper and during the entire pendency of this application.

37 C.F.R. § 1.16(a), (f) or (g) (filing fees)

37 C.F.R. § 1.16(b), (c) or (d) (presentation of extra claims)

37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a))

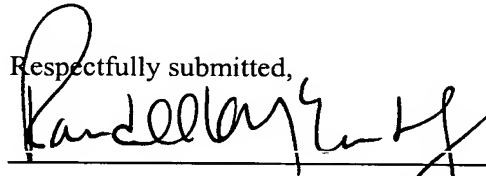
12. Instructions as to Overpayment

Refund.

Date: _____

9/17/03

Respectfully submitted,



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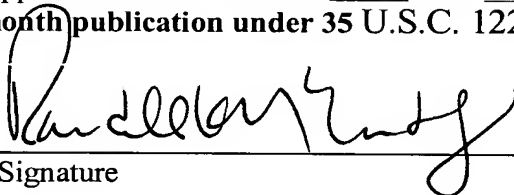
REQUEST AND CERTIFICATION First Named Inventor Thomas L. Byers
UNDER Title MODULAR ANIMAL ENCLOSURE
35 U.S.C. 122(b)(2)(B)(I)

Atty. Docket Number OKC00085

I hereby certify' that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

In making this certification I understand that "the invention disclosed in the attached application" is the invention first disclosed and claimed in the attached application and not the common disclosure of a distinct invention claimed in application Serial Number _____ Filed _____ which is subject to **foreign filing and eighteenth month publication under 35 U.S.C. 122.**

9/17/03
Date


Signature

Randall K. McCarthy
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this non publication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so** will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).